

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EDUARD ZAVALUNOV,

Petitioner

v.

WARDEN DOUGLAS K. WHITE,

Respondent

Civil No. 3:18-cv-2152

(Judge Mariani)

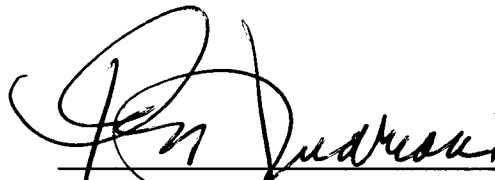
ORDER

AND NOW, this 6th day of December, 2018, upon consideration of

Respondent's motion (Doc. 11) for reconsideration, and in accordance with the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Government's motion (Doc. 9) for leave to file its motion for reconsideration out of time is **GRANTED**.
2. The motion (Doc. 11) for reconsideration is **GRANTED in part** to the extent that the appropriate remedy for Zavalunov's claims is a civil rights action.
3. This action is **DISMISSED without prejudice** to any right Zavalunov may have to reassert his present claims in a properly filed civil rights complaint.
4. The Clerk of Court is directed to **SEND** Zavalunov this Court's civil rights packet, including the form civil rights complaint, application to proceed *in forma pauperis*, and authorization form.
5. The Clerk of Court is further directed to **CLOSE** this action.



Robert D. Mariani
United States District Judge